



Applicant or Patentee: KORNBALUTH et al

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VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.27(a)(3)) -  
NONPROFIT ORGANIZATION

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I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION DUKE UNIVERSITY

ADDRESS OF ORGANIZATION Durham, North Carolina 27708-0083

## TYPE OF NONPROFIT ORGANIZATION

University or other institution of higher education  
 Tax exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3)  
 Nonprofit scientific or educational under statute of state of The United States of America  
(Name of state \_\_\_\_\_)  
(Citation of statute \_\_\_\_\_)  
 Would qualify as tax exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3)) if located in the United States  
 Would qualify as nonprofit scientific or educational under statute of state of The United States of America if located in The United States of America  
(Name of state \_\_\_\_\_)  
(Citation of statute \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.27(a)(3) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

the specification filed herewith with title as listed above.  
 application identified above.  
 the patent identified above.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention. If the rights held by the nonprofit organization are not exclusive, each person, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person who could not qualify as a person under 37 CFR 1.27(a)(1), or by any concern which would not qualify as a small business concern under 37 CFR 1.27(a)(2), or a nonprofit organization under 37 CFR 1.27(a)(3).

Name \_\_\_\_\_  
Address \_\_\_\_\_ Person       Small Business Concern       Nonprofit OrganizationName \_\_\_\_\_  
Address \_\_\_\_\_ Person       Small Business Concern       Nonprofit Organization

\*Separate verified statement is requested from each person, concern or organization named immediately above having rights to the invention, averring to his/her/its status as a small entity. (37 CFR 1.27)

I acknowledge the duty to file, in this application of patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.27(g)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INDIVIDUAL SIGNING Robert L. Taber

TITLE IN ORGANIZATION Vice Chancellor of Science and Technology Development

ADDRESS OF INDIVIDUAL SIGNING 2020 W. Main St. Suite 10

SIGNATURE  DATE February 3, 2003